

FEB 27 2007

Application No. 10/772,070
Reply to Office Action of December 13, 2006

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Docket No.: 60723(72012)

In the present invention, the forming of particles and separation from the supercritical or subcritical fluid occurs upon discharge of from the jet mechanism into the open chamber. There is no "blasting nozzle and a blasting aperture, a collision plate and enclosure 25" as taught by Kamiwano. Discharge into an open chamber is contrary to discharging into a collision plate.

Thus, it is not seen how the present invention is anticipated by Kamiwano. Further, it is not seen how the present invention would have been obvious to one of ordinary skill in the art in view of Kamiwano.

Claims 5-7 are rejected under 35 U.S.C. §103(a) over Kamiwano et al. in view of Inoue (EP 0 526 699). Kamiwano is discussed above. The Examiner admits that Kamiwano is silent as to the developer material carrier being rotatable. Inoue is cited to make up for the deficiencies in Kamiwano.

Inoue discloses a dispersing and grinding apparatus. The Inoue relates to apparatus that uses dispersing, grinding media such as balls, beads, etc. [col. 1, lines 5-10]. It is well known to use such dispersing grinding media to finely disperse particles in a fluid. In Inoue, the dispersing media does not flow out of the basket into the tank [col. 2, lines 20-25]. However, the present invention dissolves a resin in a subcritical or supercritical fluid; no grinding media is utilized. It is not seen how the disclosure of Inoue is relevant to the present invention. It is respectfully submitted that one of ordinary skill in the art would not look to Inoue for developing a method for dissolving a resin in a subcritical or supercritical fluid. It is not seen how one of ordinary skill in the art would combine the teachings of Kamiwano with Inoue. Further, even if one of ordinary skill in the art were to combine the teachings, it is not seen what combination would result or how the present invention would result.

Inoue is totally silent on use of subcritical or supercritical fluid. Inoue fails to teach or suggest dissolving developer components in a subcritical or supercritical fluid